

IN THE UNITED STATES BANKRUPTCY COURT FOR
THE NORTHERN DISTRICT OF MISSISSIPPI

IN THE MATTER OF:

CHAPTER 13 NO:

RONALD JAMES STEWART and
CAROLYN JEAN STEWART

14-14123-JDW

NOTICE OF TRUSTEE'S MOTION TO MODIFY CONFIRMED PLAN

Should any party receiving this notice respond or object to said motion, such response or objection is required to be filed on or before June 15, 2015, with the Clerk of this Court at the following address:

David J. Puddister, Clerk of Court
U. S. Bankruptcy Court
Northern District of Mississippi
703 Highway 145 North
Aberdeen, MS 39730

and a copy must be served on the undersigned Chapter 13 Trustee. If no responses are filed, the Court may consider said motion immediately after the time has expired. In the event a written response is filed, the Court will notify you of the date, time and place of the hearing thereon.

CERTIFICATE

I, the undersigned Attorney for Trustee, do hereby certify that I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, and I hereby certify that I either mailed by United States Postal Service, first class, postage prepaid, or electronically notified through the CM/ECF system, a copy of the above and foregoing to the following attorneys of record and/or parties of interest.

Dated: May 20, 2015

LOCKE D. BARKLEY, TRUSTEE

/s/ G. Adam Sanford
ATTORNEYS FOR TRUSTEE
W. Jeffrey Collier (MSB 10645)
G. Adam Sanford (MSB 103482)
6360 I-55 North, Suite 140
Jackson, Miss. 39211
(601) 355-6661
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TRUSTEE'S MOTION TO MODIFY CONFIRMED PLAN

COMES NOW Trustee, Locke D. Barkley, by and through counsel, and files this *Trustee's Motion to Modify Confirmed Plan*. The recipient(s) of this motion have 21 days, subject to Fed. R. Bankr. P. 9007(f), in which to file a response or objection. In support of this motion, Trustee states as follows:

1. Debtor's¹ Chapter 13 plan was confirmed by Order of this Court entered on March 11, 2015, for a term of 60 months. The confirmed plan provided for a 0% pro rata distribution to unsecured creditors timely filing proof of claims.
2. According to Schedule J filed herein, Debtor's net monthly income is \$2,735.07. Debtor's plan payment is currently set at \$2,253.00 per month.
3. A plan payment of \$2,253.00 per month is sufficient to pay all secured creditors according to the confirmed plan as well as to pay unsecured creditors with timely filed and allowed claims in full.
4. Trustee requests that Debtor's plan payment remain unaltered and that Debtor's plan be modified to pay general unsecured creditors with timely filed and allowed claims in full.

WHEREFORE, PREMISES CONSIDERED, Trustee, Locke D. Barkley, prays that upon notice and hearing that this Court enter its order sustaining

¹ The above-referenced Debtor or Debtors shall be referred to herein in the singular as Debtor unless specified otherwise.

Trustee's motion and for such other relief to which Trustee and this bankruptcy estate may be entitled.

Dated: May 20, 2015

Respectfully submitted,
LOCKE D. BARKLEY, TRUSTEE

/s/ G. Adam Sanford
ATTORNEYS FOR TRUSTEE
W. Jeffrey Collier (MSB 10645)
G. Adam Sanford (MSB 103482)
6360 I-55 North, Suite 140
Jackson, Miss. 39211
(601) 355-6661
ssmith@barkley13.com

CERTIFICATE OF SERVICE

I, the undersigned attorney for the Trustee, do hereby certify that I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, and I hereby certify that I either mailed by United States Postal Service, first class, postage prepaid, or electronically notified through the CM/ECF system, a copy of the above and foregoing to the Debtor, attorney for the Debtor, the United States Trustee, and other parties in interest, if any, as identified below.

Dated: May 20, 2015

/s/ G. Adam Sanford
G. ADAM SANFORD